

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 17 2026

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MARC ELIE CAMBRONNE, MAGALIE
AICHA LORVILON, and M.K.C.,

Petitioners,

v.

TODD BLANCHE, Attorney General,

Respondent.

No. 25-5931

Agency Nos.

A220-562-759

A220-562-760

A220-562-761

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted September 15, 2026**
Pasadena, California

Before: R. NELSON, and DESAI, Circuit Judges, and SCHREIER, District
Judge.***

Petitioners, Marc Elie Cambronne and Magalie Aicha Lorvilon, citizens of

* This disposition is not appropriate for publication and is not precedent
except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision
without oral argument. *See* Fed. R. App. P. 34(a)(2).

*** The Honorable Karen E. Schreier, United States District Judge for the
District of South Dakota, sitting by designation.

Haiti, and their minor son, M.K.C., a citizen of Brazil, timely seek review of a decision by the Board of Immigration Appeals (BIA) dismissing their appeal from an immigration judge's (IJ) denial of their application for asylum, withholding of removal, and protection under the Convention Against Torture (CAT). We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition for review.

We review the BIA's "denial of asylum, withholding of removal and CAT claims for substantial evidence." *Duran-Rodriguez v. Barr*, 918 F.3d 1025, 1028 (9th Cir. 2019). We review credibility findings for substantial evidence, applying the REAL ID Act's "totality of the circumstances" standard, which includes considering "all relevant factors." *Shrestha v. Holder*, 590 F.3d 1034, 1039–40 (9th Cir. 2010) (quoting 8 U.S.C. § 1158(b)(1)(B)(iii)). "[O]nly the most extraordinary circumstances will justify overturning an adverse credibility determination," *id.* at 1041 (quoting *Jibril v. Gonzalez*, 423 F.3d 1129, 1138 n.1 (9th Cir. 2005)), and "we must uphold the [BIA's] determination unless the evidence compels a contrary conclusion," *Duran-Rodriguez*, 918 F.3d at 1028.

1. Considering "the totality of the circumstances," substantial evidence supports the BIA's affirmance of the IJ's adverse credibility determination. *See Shrestha*, 590 F.3d at 1040. The BIA's determination was based upon Cambronne's internally inconsistent testimony regarding what type of residency document he held in Brazil and his failure to explain the discrepancies in his

passport's entry and exit stamps from Haiti. *See Dong v. Garland*, 50 F.4th 1291, 1297 (9th Cir. 2022) ("Inconsistencies in an applicant's testimony may support an adverse credibility determination."); *Manes v. Sessions*, 875 F.3d 1261, 1263–64 (9th Cir. 2017) (holding that IJ's adverse credibility determination was supported, in part, by inconsistencies between petitioner's testimony and documentary evidence). The BIA also properly concluded that Cambronne's testimony was not credible based on his evasive and nonresponsive testimony. *See Kalulu v. Bondi*, 128 F.4th 1009, 1015–19 (9th Cir. 2024) (determining that IJ's adverse credibility determination was supported by petitioner's inconsistent, evasive, and non-responsive testimony).

While Cambronne blames his nonresponsive testimony on interpretation issues, the record does not indicate that Cambronne failed to understand the questions being asked. In fact, the IJ repeatedly explained to Cambronne that he could ask for repetition or clarification of a question, which Cambronne often did. Additionally, Cambronne was given several opportunities by the IJ to explain his nonresponsive testimony, which the IJ found to be unsatisfactory. *See Dong*, 50 F.4th at 1300–01. Thus, Cambronne's arguments do not compel a contrary conclusion. *See Lata v. INS*, 204 F.3d 1241, 1245 (9th Cir. 2000). And in the absence of credible testimony or other evidence to support their claims, petitioners'

asylum and withholding of removal claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

2. Substantial evidence also supports the BIA’s affirmance of the IJ’s denial of petitioners’ CAT claim because it was based on the same testimony that the IJ found not credible. *See Farah*, 348 F.3d at 1157; *Shrestha*, 590 F.3d at 1048–49; *Tzompantzi-Salazar v. Garland*, 32 F.4th 696, 706–07 (9th Cir. 2022). The only other evidence petitioners point to is the country conditions reports. Although “country conditions alone can play a decisive role in granting [CAT] relief,” *Mukulumbutu v. Barr*, 977 F.3d 924, 927 (9th Cir. 2020) (quoting *Kamalthas v. INS*, 251 F.3d 1279, 1280 (9th Cir. 2001)), here, petitioners’ evidence is not sufficient to meet the “high threshold of establishing that it is more likely than not that [they] will be tortured by or with the consent or acquiescence of a public official” if returned to Haiti, *id.* Thus, the BIA’s determination that petitioners are not entitled to CAT protection is supported by substantial evidence.

PETITION DENIED.¹

¹ The temporary stay of removal remains in place until the mandate issues, and the motion to stay removal, Docket No. 2, is otherwise denied as moot.